

**IN THE UNITED STATES DISTRICT COURT FOR THE
WESTERN DISTRICT OF NORTH CAROLINA
ASHEVILLE DIVISION
CRIMINAL FILE NO. 1:14-cr-80-MR**

UNITED STATES OF AMERICA)

vs.)

MATTHEW DONTE YOUNG)
_____)

ORDER

THIS MATTER is before the Court pursuant to a letter written by the Defendant requesting the appointment of counsel, [Doc. 43], which the Court construes as a motion for appointment of counsel. The Defendant is seeking relief under Johnson v. United States, 135 S. Ct. 2551 (2015).

On November 17, 2015, the judges of this Court issued a Standing Order appointing counsel with the Federal Defenders of Western North Carolina to represent any defendant who was previously determined to have been entitled to appointment of counsel, or who is now indigent, to determine whether such defendant is eligible for relief under Johnson. Standing Order in re: Johnson v. United States, No. 3:15-mc-00196-FDW (W.D.N.C. Nov. 17, 2015). Based upon the entries of record contained in the Defendant's docket sheet, the Defendant was previously determined to be indigent. In addition, Defendant asserts that he may be entitled to relief pursuant to

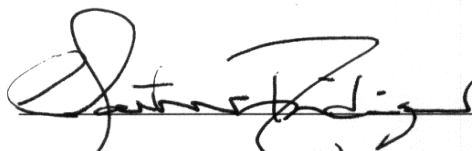
Johnson. Accordingly, the Defendant falls within the purview of the Court's Standing Order.

IT IS, THEREFORE, ORDERED that Defendant's motion for appointment of counsel [Doc. 43] is **DENIED as moot**, and that no later than thirty days from the entry of this Order, counsel with the Federal Defenders of Western North Carolina shall determine whether to file a petition pursuant to 28 U.S.C. § 2255 on behalf of the Defendant and shall notify the Defendant of any decision made in that regard. If counsel with the Federal Defenders of Western North Carolina determines that such a petition should be filed, any such petition shall be filed no later than sixty days from the entry of this Order.

The Clerk of Court is respectfully directed to provide a copy of this Order to the Defendant and to the Federal Defenders of Western North Carolina.

IT IS SO ORDERED.

Signed: July 29, 2016


Martin Reidinger
United States District Judge

